

Appl. No. 10/667,960
 Atty. Docket No. CM2631MC
 Amdt. dated 04/14/2005
 Reply to Office Action of 01/14/2005
 Customer No. 27752

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A composition suitable for treating hair comprising:
 - a) an oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents;
 - b) a conditioning agent selected from the group consisting of silicone materials, cationic surfactants, cationic polymers, alkoxylated amines and mixtures thereof; and
 - c) greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, and salts thereof, derivatives thereof and mixtures thereof;

wherein said composition has a pH from about 9.5 to about 11.
2. (Original) A composition according to claim 1, wherein said chelant is selected from the group consisting of chelants having the formula (I) to (III) below:
 - i) formula (I):

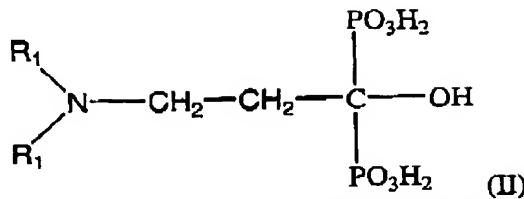
$$\begin{array}{c} \text{O} & & \text{R}_1 & & \text{O} \\ || & & | & & || \\ \text{OR}_1 - \text{P} - \text{C} - \text{P} - \text{OR}_1 \\ | & & X & & | \\ \text{OH} & & & & \text{OH} \end{array} \quad (\text{I})$$

wherein X is -OH or -NH₂; R₁ is an aryl radical or an aliphatic radical having 1 to 5 carbon atoms or a group having the formula (Ia) below:

$$\begin{array}{c} \text{OR}_2 \\ | \\ \text{O}=\text{P}-\text{OH} \\ | \\ \text{---CH}_2-\text{C---X} \\ | \\ \text{O}=\text{P}-\text{OH} \\ | \\ \text{OR}_2 \end{array} \quad (\text{Ia})$$

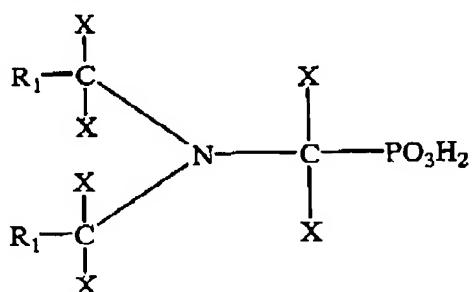
wherein each R₂ is independently selected from H or an alkyl radical having from 1 to 5 carbon atoms;
 - ii) formula (II):

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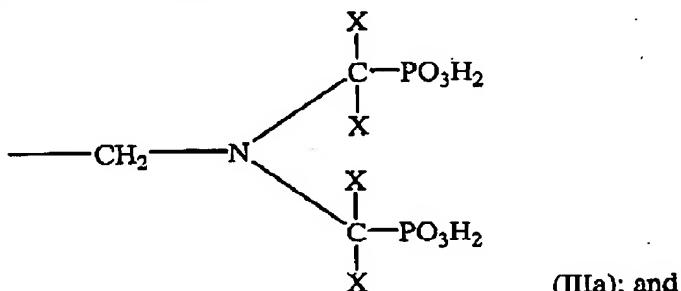


wherein each R_1 is independently selected from H or $\text{C}_1\text{-C}_3$ alkyl; and

iii) formula (III):



wherein each X is independently selected from hydrogen or alkyl radicals; and each R_1 is independently selected from $-\text{PO}_3\text{H}_2$ or a group having the formula (IIIa) below:

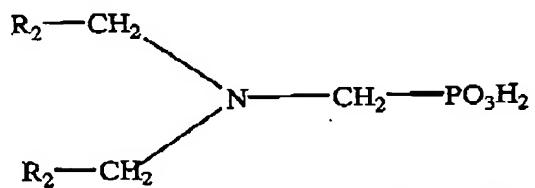


salts thereof, derivatives thereof and mixtures thereof.

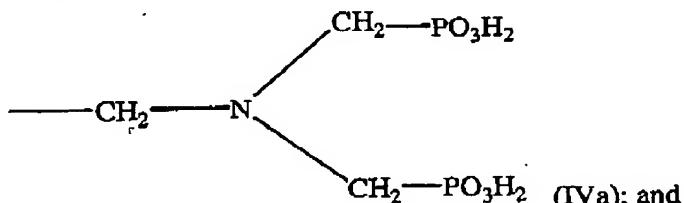
3. (Original) A composition according to claim 2, wherein said chelant is selected from the group consisting of aminotri-(1-ethylphosphonic acid), ethylenediaminetetra-(1-ethylphosphonic acid), aminotri-(1-propylphosphonic acid), aminotri-(isopropyl-phosphonic acid), and salts thereof, derivatives thereof and mixtures thereof.

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4. (Original) A composition according to claim 1, wherein said chelant is selected from the group consisting of chelants having the formula (IV) below:



wherein each R_2 is independently selected from $-\text{PO}_3\text{H}_2$ or a group having the formula (IVa) below:



salts thereof, derivatives thereof and mixtures thereof.

5. (Original) A composition according to claim 4, wherein said chelant is selected from the group consisting of aminotri-(methylenephosphonic acid), ethylene-diaminotetra-(methylenephosphonic acid) (EDTMP), diethylene-triamine-penta-(methylenephosphonic acid) (DTPMP), and salts thereof, derivatives thereof, and mixtures thereof.

6. (Canceled)

7. (Original) A composition according to claim 1 wherein said composition is in the form of an oil-in-water emulsion.

8. (Original) A composition according to claim 1 wherein said composition is in the form of a thickened aqueous solution.

9. (Original) A composition according to claim 1, further comprising a salt-tolerant thickener selected from the group consisting of xanthan, guar, hydroxypropyl guar, scleroglucan, methyl cellulose, ethyl cellulose, hydroxyethyl cellulose, carboxymethyl cellulose, hydroxypropylmethyl cellulose, microcrystalline

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cellulose, hydroxybutylmethyl cellulose, hydroxypropyl cellulose, hydroxyethyl ethyl cellulose, cetyl hydroxyethyl cellulose, N-vinylpyrrolidone, Acrylates / Ceteth-20 Itaconate Copolymer, hydroxypropyl starch phosphate, polyethoxylated urethanes or polycarbamyl polyglycol ester ; trihydroxystearin, acrylates copolymer or hydrophobically modified acrylate copolymers and mixtures thereof.

10. (Original) A composition according to claim 1, further comprising at least one oxidative hair dye precursor.
11. (Currently Amended) A method of treating hair, said method comprising the steps of:
 - i) contacting hair with a first composition comprising:
 - a) a conditioning agent selected from the group consisting of silicone materials, cationic polymers, alkoxylated amines and mixtures thereof; and
 - b) greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, salts thereof, derivatives thereof and mixtures thereof; and
 - ii) contacting hair immediately after step i) with a second composition comprising an oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents, wherein said second composition has a pH from about 9.5 to about 11.
12. (Original) A method according to claim 11, wherein said second composition further comprises an oxidative hair dye precursor.
13. (Currently Amended) A method of treating hair; said method comprising the steps of:
 - i) contacting hair with a first composition comprising an oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents;

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ii) contacting hair with a second composition comprising a conditioning agent and greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic type chelants, and salts thereof, derivatives thereof and mixtures thereof; and
iii) contacting hair with a third composition comprising a second oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents;

wherein steps i) and ii) are separated by at least 1 day and that step ii) does not take place immediately before step iii); and
wherein said first and third compositions have a pH from about 9.5 to about 11.

14. (Currently Amended) A method of treating hair, said method comprising the steps of:

- i) contacting hair with a first composition comprising greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, and salts thereof, derivatives thereof and mixtures thereof;
- ii) contacting hair with a second composition comprising an oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents immediately after step i), wherein said second composition has a pH from about 9.5 to about 11;
- iii) contacting hair with a third composition comprising a conditioning agent immediately after step iii).

15. (Currently Amended) A kit for dyeing hair comprising a first and a second compositions packaged in different containers, wherein said first composition comprises an oxidizing agent consisting of one or more water-soluble inorganic peroxygen oxidizing agents and said second composition comprises an oxidative dye precursor, wherein the resulting mixture of said first and second compositions is a composition according to claim 10.